

RESOLUTION NO. 2015- 26

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, ADOPTING RECITALS; AMENDING THE APRIL 17, 2015 ZONING IN PROGRESS RESOLUTION TO INCLUDE THE AREA ENCOMPASSED IN THE HEALTHCARE VILLAGE STUDY AREA ILLUSTRATED ON MAP B, ATTACHED HERETO; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village of Estero adopted by Resolution on April 17, 2015 zoning in progress for the area generally identified as the Village Center study area shown on Map A attached thereto; and

WHEREAS, the January 2015 Community Planning Initiative Final Report (Report), by Seth Harry & Associates, Inc. and Spikowski Planning Associates, in addition to the Village Center study area, identified an area for further study and preparation and adoption of Land Development Code regulations to implement a walkable, mixed use regulatory framework based on the preliminary concepts in the Report, generally identified in the Report as the Healthcare Village; and

WHEREAS, the Healthcare Village which is the subject of this Resolution is depicted in the Map attached hereto as Map B; and

WHEREAS, the Village on April 17, 2015 contracted with Seth Harry & Associates, Inc. and Spikowski Planning Associates, and Lewis, Stroud & Deutsch, PL, for the preparation of Land Development Code Amendments and any appropriate Comprehensive Plan Amendments to implement the concepts set out in the Report; and

WHEREAS, the Village Council has determined that it is in the best interests and welfare of the Village and its residents to amend the Resolution of April 17, 2015 invoking

zoning in progress to include any new application for development approval in the Village of Estero in the area known as the Healthcare Village study area depicted in Map B.

NOW THEREFORE, THE VILLAGE OF ESTERO HEREBY RESOLVES as follows:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed as being true, and the same are hereby incorporated as a part of this Resolution.

Section 2. Amending Zoning in Progress to Include the Healthcare Village. The April 17, 2015 Resolution invoking zoning in progress is hereby amended to include the area generally known as the Healthcare Village and shown on Map B, attached hereto and incorporated herein. After the effective date of this Resolution, any application for development approval within the Village within the area depicted on Map B, attached hereto and made a part hereof, shall be reviewed to determine if it complies with the principles of compact, walkable, transit supportive, mixed use development, with an emphasis on employment, housing, recreational and civic uses, as more fully envisioned by the January 2015 Community Planning Initiative Final Report, insofar as those applications are also consistent with the Village Comprehensive Plan. The final approval of any such development application may be temporarily stayed until the adoption of land development regulations that implement the principles of the Report. The Exemptions and provisions for Economically Viable Use in the original April 17, 2015 Resolution shall apply.

Section 3. Severability. If any section, subsection, clause or provision of this Resolution is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder

shall not be affected by such invalidity.

Section 4. Effective Date. This Resolution shall be effective immediately upon passage and shall remain in effect for no longer than 365 days.

PASSED and ADOPTED this 24th day of April, 2015



Nick Batos, Mayor

Attest: 

Interim Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



Burt Saunders, Interim Village Attorney

Mayor Batos	yes	<input checked="" type="checkbox"/>	no	_____
Vice Mayor Levitan	yes	<input checked="" type="checkbox"/>	no	_____
Councilmember Boesch	yes	_____	no	<input checked="" type="checkbox"/>
Councilmember Brown	yes	<input checked="" type="checkbox"/>	no	<input checked="" type="checkbox"/>
Councilmember Errington	yes	_____	no	<input checked="" type="checkbox"/>
Councilmember Ribble	yes	<input checked="" type="checkbox"/>	no	_____
Councilmember Wilson	yes	<input checked="" type="checkbox"/>	no	_____



MAP B